

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

JON HALL,

Petitioner,

VS.

RICKY BELL,

Respondent.

No. 1:05-1199

ORDER GRANTING RESPONDENT'S MOTION FOR SERVICE OF PETITION
FOR WRIT OF HABEAS CORPUS

On July 14, 2005, Petitioner Jon Hall filed a petition for writ of *habeas corpus* pursuant to 28 U.S.C. § 2254, along with a motion for the appointment of counsel and a motion to proceed *in forma pauperis*. The court granted both of the motions filed with Petitioner's habeas petition in separate orders. Dkt. ## 5–6. In the court's December 5, 2005 order granting Petitioner leave to proceed *in forma pauperis*, the court ordered counsel for Petitioner and for Respondent to appear at a scheduling conference on December 20, 2005, at 1:15 p.m. The parties have submitted an agreed scheduling order, which eliminates the need for a scheduling conference.

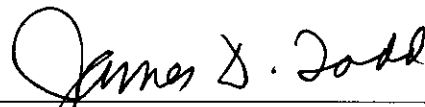
Respondent moves for an order directing the Clerk to serve a copy of the petition for writ of *habeas corpus*, without charge, upon counsel for Respondent. Counsel for Respondent submits that she has never been served with a copy of the petition in this case

and that she did not learn of the pendency of this proceeding until Petitioner's counsel telephoned her regarding the December 20, 2005 scheduling conference. Rule 4 of the Rules Governing Section 2254 Cases provides, in relevant part, that:


[i]n every case [filed under section 2254], the clerk must serve a copy of the petition and any order on the respondent and on the attorney general or other appropriate officer of the state involved.

SEC. 2254 CASES R. 4. Accordingly, the Clerk is directed to serve a copy of the petition for writ of *habeas corpus* upon Jennifer L. Smith, Associate Deputy Tennessee Attorney General; P.O. Box 20207; Nashville, TN, 37202.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 1:05-CV-01199 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT